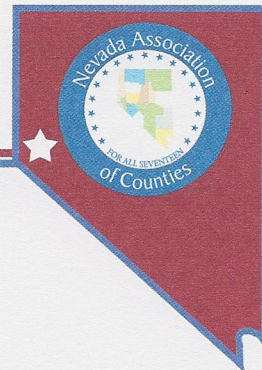




NEVADA ASSOCIATION OF COUNTIES



201 S. Roop Street, Suite 101 Carson City, NV 89701-4790

May 20, 2010

James Groth
Director, Nevada State Office of Energy
755 North Roop Street
Carson City, NV 89701

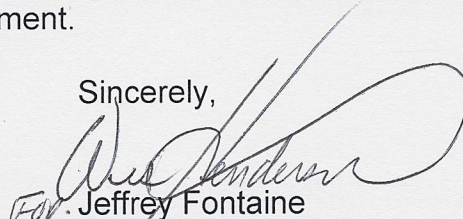
Dear Director Groth:

We understand that at the public hearing scheduled for May 21, 2010 the Nevada State Office of Energy will consider and take action on a third revision of a proposed amendment to NAC 701A.290. We further understand that this newly proposed amendment would grant the Director of the Office of the Nevada State Office of Energy independent authority to waive the requirements of 701A.220.1 (a) and (b). These provisions establish a 120 day time frame for persons seeking a partial tax abatement for Green Buildings to submit their applications to the Office of Energy after receiving local government approval of the construction project, or registering the project with the U.S. Green Building Council. For the record, the second revision of the proposed amendment was first made available to the public at your May 19, 2010 workshop, and we have yet to see the proposed language that will be considered for adoption today.

NACO is opposed to any amendment that would give the Director independent authority to waive one or more of the requirements of NAC 701A.010 to 701A.290. While not as broad as the original proposed amendment, the revised proposed amendment would still undo the regulation that Counties helped develop and upon which they now rely to help manage the significant and direct fiscal impact of AB 621. The revised proposed amendment could still have a significant negative fiscal impact to Counties.

NACO recognizes that the current economic downturn has affected the Green Building industry. However, as discussed at your May 19, 2010 workshop, Nevada's Counties are also struggling to balance their budgets because of declining sales and property tax revenues. Based on your remarks at the workshop, it appears that you believe the flexibility you seek to grant waivers to a regulation that would "produce an unjust result" to applicants seeking tax abatements outweighs the needs of County governments. Counties cannot afford any further reductions in property tax revenues which are possible if the proposed amendment is adopted. We urge your consideration in not adopting the proposed amendment.

Sincerely,


For: Jeffrey Fontaine
Executive Director

Cc: NACO Board of Directors